IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH AT HYDERABAD

THE HONOURBALE SRI JUSTICE N.V.RAMANA

W.P. No. 4921 OF 2004

Dated : 16th February, 2006

Between:

T.Janardhana Chary and others

Petitioners

AND

The Commissioner of Endowments Department,

Tilak Road, Hyderabad and others.

Respondents

THE HONOURBALE SRI JUSTICE N.V.RAMANA

W.P.M.P. NO. 3107 OF 2006

AND

W.P. No. 4921 OF 2004

ORAL ORDER:

This writ petition is filed by the petitioners seeking a direction to the respondents to regularize their services in their respective posts.

The petitioners, in response to the Recruitment Notification during 1997, have applied for the respective posts and they were appointed as non-teaching Staff after following due process of selection in the third respondent institute, on adhoc basis on consolidated salary, which was revised and enhanced from time to time and other perquisites were also extended to them. It is further their case that they are discharging their duties to the satisfaction of officers for the last seven years and the Management of the 3rd respondent Collage has been assuring the petitioners to regularize their services. It is further stated that Mr. V. Babu, Junior Assistant, Sri S.Laxmaiah, Clerk and others were working on NMR basis, as non-teaching staff, but when regular vacancies arose in Srikalahastishwara Swamivari Devasthanam, the above said persons were transferred to Srikalahastishwara Swamivari Devasthanam and were regularized in the said Devasthanam, but insofar as the petitioners are concerned, the respondents are adopting a selective and dubious method, while continuing them on consolidated salary, even though they have undergone selection process. It is further stated that the Management is proposing to change the nature of employment from consolidated salary to contract basis, which on the expiry of every eleven months, comes to an end and, therefore, the petitioners apprehend that after expiry of eleven months, their services, as contract employment, will be dispensed with. Therefore, the petitioners filed this writ petition to declare the action of the respondents in not regularizing the services of the petitioners in their respective posts, not to change the nature of terms of employment and to regularize their services on the respective posts.

At the time of admission of the writ petition, as long back as on 17.3.2004, this court passed the following interim order:

"…In the meanwhile, the respondents are directed not to alter the service conditions in pursuance of their order dated 8.1.1998…"

Now the present WP MP No. 3107 of 2006 is filed seeking a direction to the respondents to consider the cases of the petitioners for regularization of their services along with other non-teaching staff working in Sri Kalahastishwara Institute of Technology, whose services were regularized by proceedings dated 8.2.2006.

The learned counsel for the petitioner contended that the cases of similarly placed employees are considered and they are granted scales with effect from 1.2.2006 while the cases of the petitioners are not considered under the guise of pendency of the present writ petition before this court. The learned counsel for the respondents submits that the cases of the petitioners are not considered in view of the pendency of the writ petition, as therefore, both the counsel have agreed for the disposal of the writ petition itself.

Having regard to these submissions, the writ petition and the miscellaneous petition are disposed of with a direction to the respondents to consider the cases of the petitioners on par with the similarly placed employees of the respondent Department and the benefits extended to such of those employees shall also be extended to the petitioners herein. Such an exercise shall be completed within a period of three weeks from the date of receipt of a copy of this order. No order as to costs.

N.V.RAMANA, J.

February 16, 2006

MAS.